

COMMITTEE AMENDMENT FORM

DATE: 11/01/ 06

COMMITTEE CITY UTILITIES

PAGE NUM. (S) 1

ORDINANCE I. D. #06-O-1190

SECTION (S)

RESOLUTION I. D. #06-R-

PARA.

AMENDS THE LEGISLATION BY ADDING THREE (3) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING 05/15/06.

AMENDMENT DONE BY COUNCIL STAFF 11/01/06.

Municipal Clerk
Atlanta, Georgia

06-0-1190

AN ORDINANCE
BY: ZONING COMMITTEE

U-06-13

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

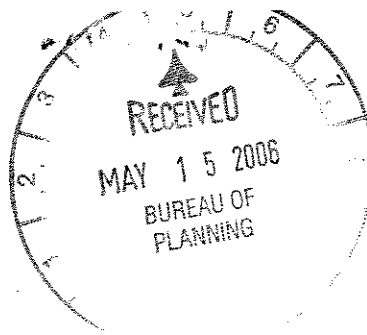
SECTION 1. Under the provisions of Section 16-08.005 (1) (a) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Cemetery, is hereby approved. Said use is granted to **CAPITAL PARTNERS DEVELOPMENT, INC.** and is to be located at **788, 846 and 856 Canterbury Road, N.E.,** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 7 and 47, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

WRITTEN DESCRIPTION
OVERALL BOUNDARY



U-06-13

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 47 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, CONTAINING 3.6253 ACRES OR 157,918 SQ. FT. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF CANTERBURY ROAD (50' R/W) AND THE EAST LINE OF LAND LOT 47; RUN THENCE SOUTH 29 DEGREES 48 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 26.77 FEET TO A POINT; RUN THENCE SOUTH 59 DEGREES 20 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 33.66 FEET TO A POINT; RUN THENCE SOUTH 32 DEGREES 27 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 25.69 FEET TO A POINT ON THE EAST LINE OF SAID LAND LOT 47; RUN THENCE FOLLOWING A CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 141.96 FEET (HAVING A RADIUS OF 861.25' SUBTENDED BY A BEARING OF NORTH 57 DEGREES 37 MINUTES 23 SECONDS WEST AND A CHORD LENGTH OF 141.80 FEET) TO A POINT; RUN THENCE NORTH 52 DEGREES 54 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 113.71 FEET TO A POINT; RUN THENCE FOLLOWING A CURVE TO THE LEFT FOR AN ARC DISTANCE OF 118.41 FEET (HAVING A RADIUS OF 827.24' SUBTENDED BY A BEARING OF NORTH 57 DEGREES 00 MINUTES 07 SECONDS WEST AND A CHORD LENGTH OF 118.31 FEET) TO A POINT; RUN THENCE NORTH 61 DEGREES 06 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 190.64 FEET TO A POINT; RUN THENCE NORTH 22 DEGREES 59 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 26.27 FEET TO A POINT; RUN THENCE SOUTH 64 DEGREES 53 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 7.77 FEET TO A POINT; RUN THENCE NORTH 01 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 19.02 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT-OF-WAY OF S.R 400 (VARIABLE R/W); THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF S.R 400 THE FOLLOWING (3) THREE CALLS; NORTH 01 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 27.93 FEET TO AN IRON PIN SET; THENCE SOUTH 84 DEGREES 48 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 52.48 FEET TO A 1/2" REBAR SET AT THE FACE OF A SOUND BARRIER WALL; THENCE NORTH 12 DEGREES 10 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 122.63 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 89 DEGREES 46 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 486.21 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 14 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 112.79 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 10 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 259.61 FEET TO A 3/4" CRIMP TOP PIPE FOUND; THENCE SOUTH 00 DEGREES 15 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 51.52 FEET TO A 1/2" OPEN TOP PIPE AND THE TRUE POINT OF BEGINNING.

CONDITIONS FOR U-06-13 for 788, 846, 856 Canterbury Road

1. A site plan that is similar to the site plan titled, "Rezoning Site Plan – Canterbury Ridge Residential Development", prepared for Capital Partners Development, prepared by Prime Engineering, Inc, dated 04/24/06 and stamped as received by the Bureau of Planning on 5/15/06.
2. Clear access must be provided to the cemetery.
3. The cemetery will be maintained by the homeowners association.

PRIME ENGINEERING INCORPORATED 1000 N. GUNN RD. ATLANTA, GEORGIA 30305 (404) 425-1100		CANTERBURY RIDGE RESIDENTIAL DEVELOPMENT CAPITAL PARTNERS PREPARED FOR		NO. DATE DESCRIPTION REVISIONS		DATE: 5/12/06 SEAL: [Professional Engineer Seal] PROJECT: CANTERBURY RIDGE RESIDENTIAL DEVELOPMENT	
DRAWING TITLE: REZONING SITE PLAN		DRAWING DATE: 04/24/06 DRAWING BY: [Signature] CHECKED BY: [Signature] DESIGNED BY: [Signature]		DRAWING NUMBER: Z-1 PROJECT NUMBER: 1187-002 SCALE: 1"=30' DRAWING SCALE: 1"=30' NOT ISSUED FOR CONSTRUCTION		15 14 13 12 11 10 9 8 7 6 5 4 3 2 1	

CANTERBURY RIDGE RESIDENTIAL DEVELOPMENT

DEVELOPER:
 CAPITAL PARTNERS DEVELOPMENT, INC.
 255 EAST PACES FERRY RD.
 SUITE 440
 ATLANTA, GA 30305
 CONTACT: RON HELLER, 404-217-8796

LAND LOT 47, 17TH DISTRICT, CITY OF ATLANTA, GEORGIA

SITE AREA: 3.6253 ACRES

CURRENT ZONING: R3
PROPOSED ZONING: R-G2

FRONT, REAR, AND SIDE SETBACKS ARE PER R-G3 ZONING REQUIREMENTS
 (D=4+s+L/10)
 WHERE:
 s=HEIGHT IN STORIES
 D=DEPTH IN FEET
 L=LENGTH IN FEET

PROPOSED UNITS = 29
DENSITY=8.1 UNITS/ACRE

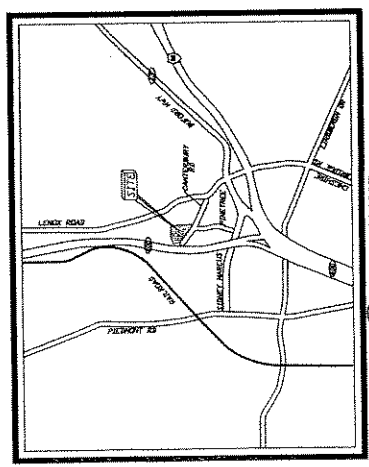
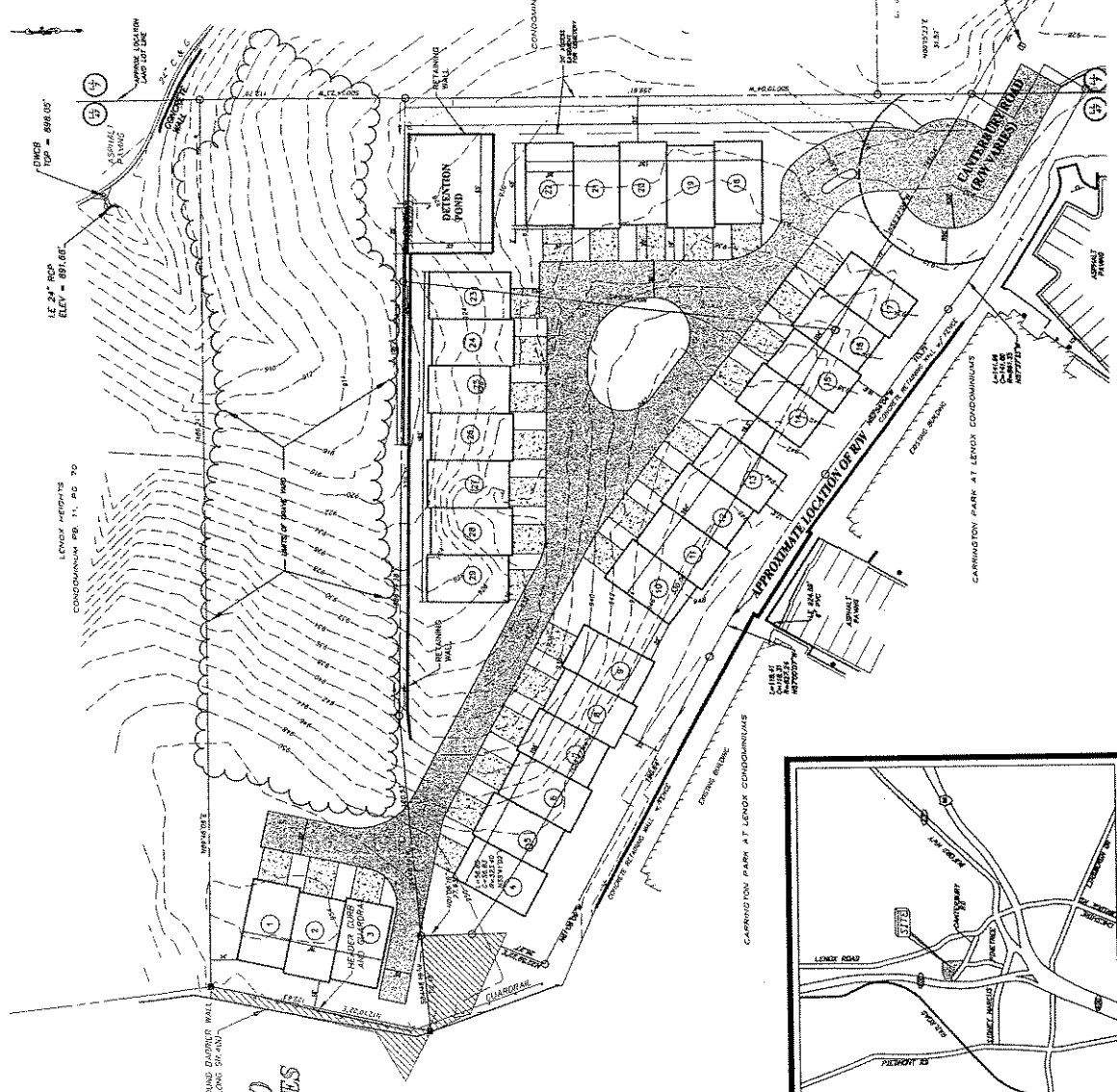
TOTAL OPEN SPACE = 2.85 ACRES (79%)
REQUIRED = 2.61 ACRES (72%)

USABLE OPEN SPACE = 2.02 ACRES (55%)
REQUIRED = 1.63 ACRES (45%)

PARKING PROVIDED = 58 SPACES
REQUIRED = 35 SPACES

BUILDING SIZE = 45' X 26'
BUILDING HEIGHT = 35' MAXIMUM

FAR:
 15 UNITS X 2,160 SF/UNIT = 32,400 SF
 14 UNITS X 1,760 SF/UNIT = 24,640 SF
SITE AREA = 3.6253 AC + 0.2286 AC(R/W) = 3.8539 AC
57,040 SF / 167,797 SF = 0.34
THEREFORE FAR = 0.34
THIS FAR FALLS IN SECTOR 2 OF THE R-G (RESIDENTIAL GENERAL) DISTRICT REGULATIONS



1 REZONING SITE PLAN
 SCALE: 1"=30'

2 VICINITY MAP
 SCALE: 1"=300'

15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

A B C D E F G H I J K

S.R. 400
(A.K.A.)
HARVEY
MATHIS
PARKWAY
R/W VARIES

LE 34' ROP
 ELEV = 891.65'

LENOX HEIGHTS
 CONDOMINIUM PB. 11, PG. 70

DETENTION POND

EXISTING BUILDING

APPROXIMATE LOCATION OF R/W

CANTERBURY PARK AT LENOX CONDOMINIUMS

EXISTING BUILDING

DETENTION POND

RCS# 286
6/05/06
4:10 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1069 1070 1071 1072 1073 1074 1075
06-O-1076 1190 1191 1203 TO ZRB & ZONING
REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	E Borders

MULTIPLE